

EXHIBIT 15

TRANSCRIPTION OF RECORDED INTERVIEW

OF

JONATHAN VAN DRAGT

MAY 10, 2022

MONTEREY PARK, CALIFORNIA

Interviewed by: Sergeant Sean Pomerleau,
Sergeant Adam Taylor,
CALIFORNIA HIGHWAY PATROL

The record reflects all relevant statements and
conversations occurring during the course of the
interrogation, but is not verbatim. For clarity,
superfluous words, phrases, verbal pauses and/or inaudible
tones have been eliminated.

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JONATHAN VAN DRAGT

CONFIDENTIAL
SUBJECT TO STIPULATED PROTECTIVE ORDER

STATEOFCA000067

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Pomerleau: Good afternoon. Before we get started, I'd like the opportunity to go around the table and introduce everyone present by name, ID number, and what office and role you're assigned. I'll start off. Today's date is May 10th, 2022. Time is 1135 hours. My name is Sergeant Shawn Pomerleau, ID 16129. I'm with the Southern Division Critical Incident Investigation Team. This is case number C22501003. We're at the East Los Angeles CHP Station.

Taylor: Sergeant Adam Taylor, ID 15633, the Southern Division Critical Incident Investigation Team.

Whittenberg: Bob Whittenberg, area rep Santa Fe Springs Area.

Van Dragt: John Van Dragt, ID 18412, out of Santa Fe Springs CHP.

Cheek: Jose Cheek, he represented the California Association of Highway Patrolmen and rep for Van Dragt.

Pomerleau: All right, thank you. We're here to provide a voluntary statement from Officer Jonathan

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1 Van Dragt regarding the officer involved
2 shooting that occurred on May 4th, 2022.
3 And just to clarify the questions we're
4 going to ask, unless otherwise noted, are
5 only for the events that occurred on May
6 4th, okay?

7 **Van Dragt:** Okay.

8 **Pomerleau:** All right. Tell me about the previous 24
9 hours prior to your shooting.

10 **Cheek:** He's not going to answer that unless he's
11 compelled.

12 **Pomerleau:** Noted. What was the last shift you work
13 prior to the shift on which this incident
14 took place?

15 **Van Dragt:** I worked my graveyard shift the night before
16 so from 2130 to 0600.

17 **Pomerleau:** And that was on May 3rd?

18 **Van Dragt:** Yes.

19 **Pomerleau:** And you mentioned you had an hour an hour
20 and a half sleep prior to --

21 **Van Dragt:** About an hour and 10 minutes. Yes, sir.

22 **Pomerleau:** Where are you on time to the morning of the
23 detail of the MAZEPP.

24 **Van Dragt:** So, I was a little behind schedule that
25 morning. I wasn't necessarily late, but I

1 did come across a 2002 suspect on my way to
2 the detail that morning, so that made me a
3 little later.

4 **Pomerleau:** Tell me about the detail you're working.
5 What was the location of it?

6 **Van Dragt:** So, I was working the Eastbound 105,
7 Studebaker off-ramp. They were doing
8 something with the dirt hill there. They
9 were repairing the hill or something with
10 it. So, we had all traffic diverted to the
11 605 with that ramp closed, the off-ramp was.

12 **Pomerleau:** Do you have any secondary employment?

13 **Van Dragt:** No.

14 **Pomerleau:** Do you take prescription medication?

15 **Cheek:** He's not going to answer that unless he's
16 compelled.

17 **Pomerleau:** Noted. Do you use any illegal drugs?

18 **Van Dragt:** No.

19 **Pomerleau:** Do you have any medical conditions that
20 might impact your judgment or physical
21 abilities?

22 **Van Dragt:** No.

23 **Pomerleau:** You mentioned that you had some hearing
24 issues after the incident. Did you report
25 this?

1 Van Dragt: Yes.
2 Pomerleau: Have you seen a physician for these
3 injuries?
4 Van Dragt: Not yet.
5 Pomerleau: Do you have any vision problems?
6 Van Dragt: No.
7 Pomerleau: Do you wear glasses?
8 Van Dragt: Yes.
9 Pomerleau: What is your measure of vision acuity, if
10 you know.
11 Van Dragt: I don't know.
12 Pomerleau: Do you wear contact lenses?
13 Van Dragt: I do but not on the day of the incident.
14 Pomerleau: On the day of the incident, were you wearing
15 a jacket?
16 Van Dragt: No.
17 Pomerleau: You were wearing a gun belt, correct?
18 Van Dragt: Yes.
19 Pomerleau: Were you wearing a department-issued
20 firearm?
21 Van Dragt: Yes.
22 Pomerleau: Did you discharge your primary firearm the
23 morning of the incident?
24 Van Dragt: No.
25 Pomerleau: Has there been any special modifications to

1 your firearm?

2 Van Dragt: No.

3 Pomerleau: How about a weapon mounted light?

4 Van Dragt: No.

5 Pomerleau: Changed grips?

6 Van Dragt: No.

7 Pomerleau: Were you using department-issued ammunition

8 at the time of the incident?

9 Van Dragt: Yes.

10 Pomerleau: What are the number of rounds you have in

11 your firearm?

12 Van Dragt: So, 15 in the magazine and one of the

13 chamber.

14 Pomerleau: Were you trained to use this firearm at the

15 academy or transitioned into the field?

16 Van Dragt: Transition in the field.

17 Pomerleau: Do you recalled your la\$#t date of

18 qualification?

19 Van Dragt: I don't know.

20 Pomerleau: Were you wearing an electronic control

21 device that morning?

22 Van Dragt: Yes.

23 Pomerleau: Were you wearing a department issued ECD?

24 Van Dragt: Yes.

25 Pomerleau: Is it the TaserX2?

1 Van Dragt: I believe so. I don't know the exact — we
2 used to have the X26, I believe, so I think
3 this was the X2.
4 Pomerleau: Okay. Did you test the ECD prior to
5 starting your shift?
6 Van Dragt: I don't recall.
7 Pomerleau: Did you check out the ECD on a sign out
8 sheet or anything of that nature?
9 Van Dragt: I believe so, yes. I had — I had worked
10 two days in a row. So, I that same taser
11 for a few days, so.
12 Pomerleau: Do you recall the last date of your
13 department certification on ECD?
14 Van Dragt: I don't recall.
15 Pomerleau: That morning, were you wearing a handheld
16 radio?
17 Van Dragt: Yes.
18 Pomerleau: Was there anything else on your belt? You
19 already mentioned the RCB. There's things
20 that we've already mentioned in the other
21 interview.
22 Van Dragt: The only thing I didn't mentioned earlier
23 was my keyholder. I had a keyholder on me.
24 Pomerleau: The morning of the incident, were you
25 wearing sunglasses?

1 Van Dragt: No.

2 Pomerleau: Was your uniform damaged as a result of the
3 incident?

4 Van Dragt: No.

5 Pomerleau: Was any of your equipment damaged during the
6 incident?

7 Van Dragt: No.

8 Pomerleau: Was your vehicle equipped with MVARs or
9 WMVARs.

10 Van Dragt: MVARs.

11 Pomerleau: Was the video functioning?

12 Van Dragt: Yes.

13 Pomerleau: How did you verify it was functioning?

14 Van Dragt: It was on during the event? I saw the red
15 light on, and it was recording along with my
16 — the mic was green.

17 Pomerleau: Did you do a pre-patrol check prior to going
18 out on your shift?

19 Van Dragt: No. Oh, pre-patrol for the patrol vehicle?

20 Pomerleau: For the MVARs.

21 Van Dragt: No.

22 Pomerleau: Was the audio functioning?

23 Van Dragt: Yes, I believe so. The mike was working.

24 Pomerleau: Okay. How did you verify it was
25 functioning?

1 Van Dragt: Oh, I — due to the fact that I saw the
2 light was on. It was green.
3 Pomerleau: Did you fill out a 36D and sign it out at
4 the end of the shift for your MVARs?
5 Van Dragt: For that day?
6 Pomerleau: For that day.
7 Van Dragt: No, I've never seen. I haven't touched it.
8 They took my MVARs.
9 Pomerleau: Okay, but did you sign out the sheet and you
10 know how we started sign out like 36D every
11 time we go out for MVARs.
12 Van Dragt: Did I put my name on it in that morning?.
13 Pomerleau: Right. And you have to get a disc number
14 and all that.
15 Van Dragt: I don't recall because I was running late so
16 I don't know if I did or not. And I haven't
17 seen that sheet.
18 Pomerleau: And did you turn in your MVARs disc to be
19 booked into evidence?
20 Van Dragt: No. They — I never saw the car again.
21 They took it.
22 Pomerleau: Okay.
23 Van Dragt: I believe they pulled the whole unit.
24 Pomerleau: Got it. Is the patrol vehicle equipped with
25 a siren?

1 Van Dragt: Yes.

2 Pomerleau: Is this particular patrol vehicle your
3 assigned vehicle?

4 Van Dragt: Yes.

5 Pomerleau: So, you normally drive this vehicle?

6 Van Dragt: Yes, every day.

7 Pomerleau: Do you recall the location of this incident?

8 Van Dragt: Yes.

9 Pomerleau: What was that location?

10 Van Dragt: Westbound 105 just west of Garfield.

11 Pomerleau: How would you describe the location of the
12 incident?

13 Van Dragt: It's a freeway with a HOV and an unknown
14 type, like with four or five lanes. I lose
15 track right there with how many lanes. It
16 has a right shoulder the dirt embankment.

17 Pomerleau: What were the weather conditions at the time
18 of the incident?

19 Van Dragt: Just daylight and I believe it was clear.

20 Pomerleau: Where were you — where were you located
21 when you received the call for service for
22 this incident?

23 Van Dragt: I was in the closure, eastbound 105 on the
24 Studebaker off.

25 Pomerleau: When you heard the call for service, can you

1 tell me about your mindset.

2 **Van Dragt:** I was concerned with the party that had been
3 run over, that was being reported was run
4 over multiple times.

5 **Pomerleau:** How did this make you feel? Anything out of
6 the ordinary?

7 **Van Dragt:** No. Just wanted to get there and help out.

8 **Pomerleau:** Knowing the nature of pedestrian calls
9 walking on the freeway, did it raise your
10 awareness level in this area?

11 **Van Dragt:** I mean pedestrian was always -- you never
12 know what's going on. So, I'm always more
13 aware and more alert.

14 **Pomerleau:** When you responded, did you request backup
15 or additional units to respond at this point
16 with you?

17 **Van Dragt:** No.

18 **Pomerleau:** When you arrived on scene, did you see
19 anything that would indicate members of the
20 public were in fear or danger?

21 **Van Dragt:** Like I told you earlier the, semitruck
22 driver pointing and jumping up and down and
23 running -- or running towards me, that
24 seemed like he was kind of in fear. Like,
25 something was going on, but.

1 **Pomerleau:** So, you saw several people running on scene.

2 **Van Dragt:** Like, the first initial semitruck I came
3 across, he ran at me and told me on the
4 information, pointing, like almost jumping,
5 like, he's that way. And then the initial
6 pedestrian that I saw that was a pedestrian,
7 he was running towards the motor.

8 **Pomerleau:** So, when you saw that what was going through
9 your mind at that point?

10 **Van Dragt:** It was a little confusion like what's going
11 on? Like what's — how is this — this came
12 out as aped that's getting run over and
13 lanes and we're so far from that semitruck.
14 How are they — I was just more like how are
15 this is all involved? Kind of, you know,
16 like, because we're far. It's got to be, I
17 want to say, a mile. I mean, it's a long
18 way, so.

19 **Pomerleau:** So, you arrive on scene. Did you see
20 anything when you first noticed the
21 pedestrian that would make you believe that
22 he was a threat?

23 **Van Dragt:** So, like I said when I — the first
24 pedestrian was — it wasn't the right one.
25 So then when I exited my patrol vehicle and

1 I saw he was with his hands in his pockets
2 that and just staring off in the lanes that
3 immediately just brought my awareness up
4 like, okay, something's going on. So, he --
5 I can say that could be a threat with your
6 hands in your pockets, right?

7 **Pomerleau:** Do you recall the radio traffic you put out
8 upon arriving on scene?

9 **Van Dragt:** I believe I went 97, maybe was 297 and then
10 that's all I said.

11 **Pomerleau:** Did you relay any information from dispatch
12 regarding the movements of the pedestrian or
13 what he was doing with his hands?

14 **Van Dragt:** No.

15 **Pomerleau:** What was your thought process as you watched
16 the pedestrian aggressively running towards
17 the patrol unit when you were standing
18 there?

19 **Van Dragt:** Running towards my location? I was afraid
20 he was going to attack me. That was my
21 immediate process and and giving myself more
22 space due to him advancing on me so quickly.

23 **Pomerleau:** When the pedestrian did this, when he began
24 running out your patrol vehicle or running
25 at you, did you say anything to him to stop

1 or did you mention anything?

2 Van Dragt: I initially advised him to let me see your
3 hands and that was the only way I could get
4 any -- that was only verbiage I can get out
5 due to him advancing me so quickly, trying
6 to get time and distance and transitioning
7 all at once all in a-matter of seconds.
8 Nothing else to say.

9 Pomerleau: So, just to clarify, where were you standing
10 during the taser deployment?

11 Van Dragt: I was moving -- I was still moving to the
12 front of my patrol vehicle, so like almost
13 at the right. In my mind when I tased --
14 when I deployed my taser, I was at the right
15 front of the patrol car like, and then I
16 continued my movement. I ended up over here
17 so I believe my taser deployment happened
18 somewhere at the left front vendor or on the
19 front of the patrol vehicle as he was still
20 advancing on me.

21 Pomerleau: When you fired your taser, where was the
22 other officer in proximity to you?

23 Van Dragt: I have no idea other than me hearing the
24 shots to my right. So, I couldn't tell you
25 where he was exactly, but he was -- it was

1 to my right. Someone was to my right so,
2 but and I lost contact with him after I
3 exited my patrol car and I only -- I only
4 knew again once we met up on the other side
5 of the patrol car.

6 **Pomerleau:** When you initially saw him and he had his
7 hands in his pocket and right before he
8 charged you, do you know how far the motor
9 officer was from the pedestrian on the
10 shoulder?

11 **Van Dragt:** I don't know. I lost contact with him when
12 I exited my patrol car.

13 **Pomerleau:** When the pedestrian began running at you,
14 did you -- did you have your taser in your
15 hand?

16 **Van Dragt:** No, I had my firearm.

17 **Pomerleau:** Okay. I know it was only a split second,
18 but when the pedestrian began to run at you
19 and he then began -- he then was out of your
20 view because you retreated, what was going
21 through your mind at that point?

22 **Van Dragt:** I don't think he was ever out of my view. I
23 had him in view the whole time, and entire
24 time, he was up in a shooting platform
25 running towards me because as I advanced --

1 or I mean not advance. As I made my way
2 around the patrol car, he was still coming
3 at me. So, I didn't — I never lost contact
4 with him. Like, I made my way around. I
5 think my door was opened. And so, I made my
6 way around that and made my way to the front
7 of the patrol car.

8 **Pomerleau:** So, you have — you had sight of him that
9 whole entire time.

10 **Van Dragt:** Yes. Until I — after I deployed my taser,
11 I would say that's the only moment where I
12 came and I made sure I didn't hit the front
13 of the car and I was over here at that
14 point, so I deployed my taser on the move.

15 **Pomerleau:** When you were interviewed earlier, you
16 mentioned that you were in fear of being
17 attacked. Were you fear of your life?

18 **Van Dragt:** I was fear.of being injured. Yes, I would
19 say I could be in fear for my life other —
20 I just didn't know what was going to happen.
21 It was very — he seem very aggressive. And
22 fear — I was definitely in fear of being
23 injured by whatever he had in his hands.

24 **Pomerleau:** At any point, did you notice the other
25 officer on scene draw his firearm.

1 **Van Dragt:** Only after the shots were fired, and I
2 noticed his firearm was out.

3 **Pomerleau:** After you discharged your ECD, what did you
4 do next?

5 **Van Dragt:** At that point, I was near the right front of
6 the patrol car. I dropped the taser, put
7 out traffic for shots fired and then
8 immediately retrieved my firearm.

9 **Pomerleau:** After you put out that radio traffic, did
10 the pedestrian make any spontaneous
11 statements while he was on the ground?

12 **Van Dragt:** No.

13 **Pomerleau:** After the shooting, can you tell me why you
14 did not approach at this point?

15 **Van Dragt:** Immediately after?

16 **Pomerleau:** Immediately after.

17 **Van Dragt:** Due to just assessing the scene, checking
18 the other officer in case there —
19 obviously, if he had other weapons on him,
20 we're trained to not approach immediately
21 due to the fact that I had seen the whatever
22 he — whatever it was the objects on the
23 ground. And I wanted to get to him as soon
24 as possible to render medical aid. I made a
25 decision to grab gloves and move forward and

1 try to place him in cuffs.

2 **Pomerleau:** After the shooting, was the pedestrian not
3 showing his hands?

4 **Van Dragt:** The pedestrian wasn't responsive. Like
5 there wasn't, like, there was no movement.
6 There wasn't, like, it wasn't like an active
7 movement to hide his hands. Like I've seen,
8 you know, in previous incidents. But it
9 wasn't like, he was -- there was just no
10 response from the pedestrian.

11 **Pomerleau:** After the shooting, did you think there was
12 a possibility he had a weapon?

13 **Van Dragt:** There's a -- there could always be a weapon.
14 He could have been hiding another weapon or
15 hiding somewhere on him.

16 **Pomerleau:** You mentioned that you rendered medical aid.
17 What exactly did you do to render medical
18 aid?

19 **Van Dragt:** I placed them in handcuffs. I rolled him
20 over onto his -- I assistant other officers
21 rolling them over onto his back. And then I
22 guided the other officer to put the
23 tourniquet on, so.

24 **Pomerleau:** Okay. So, you assisted --

25 **Van Dragt:** Yes.

1 **Pomerleau:** — the rendering of medical aid. Was a
2 request immediately made to the fire
3 department and ambulance to respond?

4 **Van Dragt:** I did not make the request. I believe they
5 were staging.

6 **Pomerleau:** When the third officer arrived on scene, is
7 at the point where you approached the
8 pedestrian to render medical aid?

9 **Van Dragt:** There was an officer to my left in the back
10 of the patrol car. So that's third officer
11 and then I would say, yes, that's what,
12 that's when we decided to approach. And
13 then there was another officer that came in
14 from the, I was say, above us. Like he was
15 in lanes, and then he assisted as well. I
16 couldn't tell you who grab the other — his
17 right arm — his, I guess I grabbed his left
18 arm. And then who grabbed the other arm,
19 I'm not sure who did that. But we brought
20 them together, cuffed him, immediately
21 rendered aid.

22 **Pomerleau:** Did you notify your supervisor of the ECD
23 deployment when they arrived on scene?

24 **Van Dragt:** I talked to a sergeant on A watch there. I
25 don't know if I told him that I deployed the

1 taser or not.

2 **Pomerleau:** Did you tell any supervisor that you
3 deployed to the ECD.

4 **Van Dragt:** I didn't talk to anyone, so. I talked to
5 that Sergeant. I think he checked on me.
6 And then I couldn't tell you what we've
7 said, but.

8 **Pomerleau:** Okay. Is there anything I have not
9 discussed do you think would be pertinent to
10 my investigation you'd like to add?

11 **Van Dragt:** Nothing we talked about.

12 **Pomerleau:** sergeant Taylor, is there anything you'd
13 like to add to this interview?

14 **Taylor:** A few clarifying questions. What's the
15 distance from Studebaker to Garfield
16 approximately?

17 **Van Dragt:** A few miles. I would say two to three.

18 **Taylor:** Were you wearing your glasses, prescription
19 glasses, on May 4th during this incident?

20 **Van Dragt:** Yes, I was.

21 **Taylor:** That area, I know it's right at the end of
22 Santa Fe Springs' border with the East, but
23 are you aware of — have you ever heard of
24 any pedestrian calls in that area in the
25 past on the 105.

1 **Van Dragt:** There is, oh, yes, on the 105. There are
2 pedestrian calls.

3 **Taylor:** And in your experience with dealing with
4 pedestrians on the freeway, have you ever
5 dealt with pedestrians on the freeway that
6 are under the influence of drugs or that are
7 having mental episodes?

8 **Van Dragt:** Yes.

9 **Taylor:** Were those possibilities going through your
10 mind during — responding or what's on scene
11 of this call?

12 **Van Dragt:** Yes. It went through my mind that maybe
13 there's something else going on here
14 especially when it came out — the 1031 part
15 of it, so.

16 **Taylor:** When you deployed your taser, was there any
17 reaction from the — from the subject to let
18 you know that whether it was effective or
19 not?

20 **Van Dragt:** As I -- immediately after deploying my taser
21 is when the volley of shots happened and the
22 subject dropped, fell.

23 **Taylor:** And when he fell to the ground, could you
24 see where his hands landed in relation to
25 his body?

1 **Van Dragt:** I don't recall where they were.

2 **Taylor:** When you transition from your taser -- I'm
3 sorry, from your, originally from your --
4 from your firearm to your taser, so as you
5 stated earlier that you could have a clear
6 view of what he had in his hands and you
7 were confident that it was not a firearm.
8 So, you felt confident to transition to non-
9 deadly force and to pull your taser out, do
10 you know about what your distance was from
11 you to the suspect when you were able to
12 identify that object in his hand as as not a
13 firearm?

14 **Van Dragt:** Right when he -- on when he was on the
15 shoulder is when I can see that, to me, it
16 wasn't a firearm based on the size of it.

17 **Taylor:** **Right.**

18 **Van Dragt:** I was hoping I was correct.

19 **Taylor:** Do you know about what your distance was
20 when --

21 **Van Dragt:** I would say, like I said, 30 feet --

22 **Taylor:** **Okay.**

23 **Van Dragt:** -- 30, 35 feet, like because that was the
24 back of my patrol vehicle, so.

25 **Taylor:** And you don't know what the distance was at

1 that time between the suspect and the motor
2 officer?

3 **Van Dragt:** I don't know where the motor was, so.

4 **Taylor:** You stated earlier that after the shooting
5 the motor officer feared that he had been
6 hit. That he'd been shot. What made you
7 think that?

8 **Van Dragt:** He asked me to check him.

9 **Taylor:** Okay. That's all the questions I have.

10 **Pomerleau:** All right. With that, we will conclude this
11 interview. The time is now 1200 hours.

12 (Recording Ends)

13 - INTERVIEW CONCLUDED -

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TRANSCRIBER'S CERTIFICATE

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) ss.
COUNTY OF SACRAMENTO)

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